

CITY OF SAN JOSÉ, CALIFORNIA  
 Department of Planning, Building and Code Enforcement  
 801 North First Street, Room 400  
 San José, California 95110-1795

Hearing Date/Agenda Number  
 H.L.C. 10/02/02 Item 5.a..

File Number  
 HL02-121

Application Type  
 Historic Landmark Designation

Council District SNI  
 3 Washington

Planning Area  
 Central

Assessor's Parcel Number(s)  
 264-36-137

## STAFF REPORT

### PROJECT DESCRIPTION

Completed by: Sally Notthoff Zarnowitz

Location: 869 South First Street

Gross Acreage: 0.23 Net Acreage: 0.23 Net Density: n/a

Existing Zoning: LI Light Industrial Existing Use: Retail/ Eating Establishment

Proposed Zoning: No change Proposed Use: Retail/Eating Establishment

### GENERAL PLAN

Completed by: SNZ

Land Use/Transportation Diagram Designation  
 General Commercial

Project Conformance:  
☒ Yes ☐ No  
☐ See Analysis and Recommendations

### SURROUNDING LAND USES AND ZONING

Completed by: SNZ

North: Commercial LI Light Industrial

East: Commercial LI Light Industrial

South: Commercial LI Light Industrial

West: Commercial LI Light Industrial

### ENVIRONMENTAL STATUS

Completed by: SNZ

☐ Environmental Impact Report found complete  
☐ Negative Declaration circulated on  
☐ Negative Declaration adopted on

☒ Exempt  
☐ Environmental Review Incomplete

### FILE HISTORY

Completed by: SNZ

Annexation Title: Original City

Date: 3/27/1850

### PLANNING DEPARTMENT RECOMMENDATIONS AND ACTION

☒ Approval  
☐ Approval with Conditions  
☐ Denial  
☐ Uphold Director's Decision

Date \_\_\_\_\_

Approved by: \_\_\_\_\_  
☐ Action  
☒ Recommendation

OWNER

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David Silva  
1541 Norman Ave.  
San Jose CA 95125

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PUBLIC AGENCY COMMENTS RECEIVED

Completed by: SNZ

Department of Public Works

None

Other Departments and Agencies

None

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GENERAL CORRESPONDENCE

See attached Department of Parks and Recreation

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ANALYSIS AND RECOMMENDATIONS

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## **BACKGROUND**

The structure located at 869 South First Street is in the LI Light Industrial zoning district and designated General Commercial on the adopted San Jose 2020 General Plan Land Use Transportation Diagram. The Historic Landmarks Commission will forward a recommendation on the designation to the City Council for consideration at a public hearing on October 29, 2002 at 1:30 p.m.

## **HISTORIC RESOURCE DESCRIPTION**

The 5 Spot is a one-story drive-in restaurant building located at the corner of South First and Sutter streets. It's style is referred to as "Coffee Shop Modern." The first portion of the building was constructed in 1931 with additions and canopies added in 1951 and 1955.

The building is constructed of brick and is a simple rectangle plan with a flat roof. The storefront consists of aluminum framed fixed glass windows set above a wainscot of painted random broken coursed ashlar stonework. The Historic Report notes that the façade appears to have been remodeled in the 1950s at the time of the additions. The canopy, located at the north and west sides of the building, is a thin, flat-roof structure composed of steel ribbed channel decking with exposed channels. Exposed and tapered steel I-beams provide the structural support. The canopy line wraps the front of the building creating a projecting eave over the front façade. A neon-wrapped ice cream cone still rises above the canopy on the north side. The "5 Spot Coffee Shop" sign is intact and sited prominently at the corner of the lot. The circulation system appears to be relatively intact—allowing auto access under the canopies which, historically, provided the carhops access to vehicles.

The alterations to the 5 Spot reflect the 1950s era. The Coffee Shop Modern style of the 5 Spot is a rare remaining example of a style popular in Southern California from the 1930s through the 1950s, representing a

car-oriented culture. It is the early association of this site with this cultural pattern that is significant at the local City Landmark level.

## **ENVIRONMENTAL REVIEW**

Under the provisions of Section 15307 of the State Guidelines for Implementation of the California Environmental Quality Act (CEQA), this project is found to be exempt from environmental review in that the project is limited to an action taken by a regulatory agency as authorized by state law or local ordinance to assure the maintenance, restoration, or enhancement of a natural resource where the regulatory process involves procedures for protection of the environment.

## **GENERAL PLAN CONFORMANCE**

The use of drive-in restaurant is consistent with the site's General Plan Land Use/Transportation Diagram designation of General Commercial. This is a non-specialized commercial designation intended to permit miscellaneous commercial uses. It includes both strip commercial areas along major thoroughfares as well as freestanding commercial establishments.

## **ANALYSIS**

Landmark designation is proposed for the 5 Spot, 869 South First Street on the approximately 0.23 gross acre site. The proposal is consistent with General Plan historic, archeological and cultural resources goals and policies, which state the preservation of historically or archeologically significant sites, structures and districts is a key consideration in the development review process. These policies also state that "the city should use the landmark designation process of the Historic Preservation Ordinance to promote the preservation of historically or architecturally significant sites and structures."

The structure merits designation as a historic landmark based on its historical, architectural and cultural significance (see attached State form and Historic Evaluation Form). The building qualifies for landmark status based on the following criteria of the Historic Preservation Ordinance (Municipal Code Section 13.48.110):

6. Its embodiment of distinguishing characteristics of an architectural type or specimen in that this drive-up restaurant embodies distinguishing characteristics of the Coffee Shop Modern style popular in Southern California from the 1930s through the 1950s, representing a car-oriented culture.

## **COMMUNITY OUTREACH**

The property owner has requested the nomination. A public hearing notice for the project was published in a local newspaper, posted at the site and mailed to all property owners and tenants within 500 feet of the subject site.

## **RECOMMENDATION**

Planning staff recommends that the Commission, after holding a public hearing on the subject proposal, recommend that the City Council approve the designation of The 5 Spot, 869 South First Street as Historic Landmark No. 121.